

REMARKS

Upon entry of the amendments, claims 20-38 will be pending in the present application. Claims 1-11 and 13-19 have been canceled without prejudice or disclaimer. Claims 20 and 21 have been amended. New claims 23-38 have been added. Applicants submit that the amendments and new claims are supported throughout the specification as originally filed. New claims 23-38 are supported, for example, by originally filed claims 2-10 and 13-19. As such, no new matter has been added.

Applicants gratefully acknowledge the Examiner's willingness to discuss differences between the cited references and the present invention, as well as possible claim amendments that may better define certain aspects of Applicant's invention. Applicants believe that the current claims are consistent with possible claim amendments discussed via telephone conference with the Examiner on March 1, 2007.

Rejections Under 35 U.S.C. § 103(a)

Claims 1-11 and 13-22 have been rejected as unpatentable over Bianco *et al.* (US 2002/0092965) in view of McMenimen *et al.* (US 2002/0077850) under 35 U.S.C. § 103 (a).

For reasons previously made of record, Applicants respectfully maintain that neither Bianco *et al.* (US 2002/0092965) nor McMenimen *et al.* (US 2002/0077850) qualify as prior art under 35 U.S.C. § 102 because both references were filed after the filing date of the present application. As such, for at least the reasons previously noted, Applicants further maintain that *prima facie* obviousness has not been established in the present case.

Although Applicants respectfully disagree with the rejections and do not acquiesce to any reasoning provided by the Examiner, independent claims 20 and 21 have been amended in order to clarify certain differences between the present invention and the cited references, and in order to expedite prosecution of the present case. Claims 1-11 and 13-19 have been canceled without prejudice or disclaimer, and while preserving Applicants right to pursue similar claims in a related, co-pending application. Claims 23-38 have been newly added and depend from independent claims 21 and 20. Applicants respectfully submit that the cited

references, either alone or in combination, fail to teach or suggest each and every element of the presently claimed invention, thereby precluding prima facie obviousness.

Bianco is directed to an on-line guide to help patients recover from major medical procedures. Bianco, however, fails to teach or suggest numerous aspects of the currently claimed invention. With respect to claim 20, for example, Bianco at least fails to teach automatically transmitting manufacturing progress information with a patient computer over a wide area network in the absence of the patient prompting the server to communicate the manufacturing progress information, the transmitting occurring prior to completion of all manufacturing operations for each of the appliances, as recited in claim 20. Nowhere does Bianco teach coordinating dental product manufacture with patient scheduling with an orthodontic professional.

McMenimen fails to provide the teachings that are missing from Bianco. McMenimen teaches a system in which a manufacturing server interacts with data centers to collect information for various build-to-order scenarios. McMenimen does not teach automatically communicating information to a user or sending a message to a patient regarding manufacturing progress information (e.g., in the absence of the patient prompting the system for the desired information), or numerous aspects of the currently claimed invention as recited in claims 20 or 21. Dependent claims 23-38 will be allowable at least for depending from allowable independent claim 21 and 20.

Accordingly, for the reasons set forth above, Applicants respectfully request the withdrawal of the rejections of claims 1-11 and 13-20 under 35 U.S.C. § 103(a).

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 206-467-9600.

Respectfully submitted,

Date: _____

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